

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COURT RECEIVER'S REPORT NO.25.05.2006

IN

ARBITRATION PETITION NO.191 OF 1999

Mrs. Labhuben Prabhudas Sangani

...Petitioner

Vs.

Mrs. Pradeepkumar Dhirajlal Thakkar

...Defendant

Shri A.V. Menon i/by DSK Legal for the Petitioner.

Shri A.P. Rege for the Respondent.

Shri C.R. Bhogaonkar, 2nd Asstt. to Court Receiver
present.

CORAM : A. S. OKA, J.

DATE : JULY 07, 2006.

P.C.:

1. Prayer (a) in the report is regarding direction to take back possession from the Respondent with the help of the police and to hand over the same to the Petitioner. It is not in dispute that the interim order passed by the Appeal Bench of the Small Causes Court at Bombay is still in force which protects the possession of the Respondent. Therefore, no directions as of today can be given. Receiver to submit a fresh report after the interim order is vacated or is modified or is varied. Prayer (c) is

granted. Report is disposed of accordingly.

2. The parties are directed inform the Court Receiver as and when the interim order passed by the Appeal Bench of Small Causes Court is vacated, modified or varied. The representative of the Court Receiver states that the Respondent is in arrears of royalty. If that is so, receiver is at liberty to submit report seeking necessary directions in that behalf. Liberty to the Petitioner to apply to the concerned Bench of the Small Causes Court for giving priority to the pending Appeal.

JUDGE